

Insert the attached revised Figures 1 and 2 in place of the similarly-numbered, originally-filed Figures.

Please insert the attached Sequence Listing after the claims pages.

IN THE CLAIMS:

Amend the claims as follows:

6. (Twice Amended) ATP/ADP translocator gene for use in a plant according
to Claim 1 with an Arabidopsis thaliana amino acid sequence (EMBL Accession No.
Z49227) encoded by the nucleotide sequence shown in Fig. 1 (SEQ ID NO:1).

REMARKS

Reconsideration is requested.

Responsive to the Notification dated May 15, 2002, a copy of the requisite Declaration is attached.

A copy of the Notification dated May 15, 2002 is attached.

The specification has been amended to include the attached revised Figures. A marked-up copy of the amended Figures is attached wherein changes are shown as underlined text.

The specification has been amended to include the attached Sequence Listing. The specification has been amended to include sequence identifiers, consistent with the attached Sequence Listing. The attached paper and computer readable copies of the Sequence Listing are the same. No new matter has been added. A separate Statement to this effect is attached.

An early and favorable Action on the merits is requested.

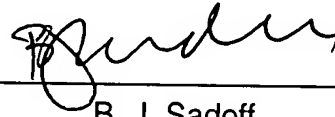
In re Application of: **NDL et al**
Serial No. 10/088,025

10088025 : 031400

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



B. J. Sadoff
Reg. No. 36,663

1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100